

MARCH 28, 2008

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON MARCH 28, 2008, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE MINERAL, SURFACE, DEVELOPMENT, FEE WAIVER, AND TRUST ACCOUNTING BUSINESS MATTERS AS INDICATED AND WHICH BECOME EFFECTIVE AT 5:00 P.M. ON MARCH 28, 2008.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGE 1 TO 2; SURFACE ACTIONS AS LISTED ON PAGES 3 TO 16; DEVELOPMENT ACTIONS AS LISTED ON PAGES 16 TO 25; ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGES 25 TO 26; AND TRUST ACCOUNTING ACTIONS AS LISTED ON PAGE 26.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND ARE SUBJECT TO REVIEW AND/OR ADJUDICATION PURSUANT TO R850-8 OF THE AGENCY'S RULES. ANY APPEAL OF MATTERS CONTAINED WITHIN THESE MINUTES MUST BE IN WRITING, PURSUANT TO R850-8-1000, AND MUST BE RECEIVED BY THE OFFICE OF THE DIRECTOR BY 5:00 P.M. ON FRIDAY, APRIL 11, 2008. APPEALS NOT FILED BY THAT TIME WILL BE CONSIDERED UNACCEPTABLE AND THE MATTERS WILL BE UNAPPEALABLE.



KEVIN S. CARTER, DIRECTOR  
SCHOOL AND INSTITUTIONAL  
TRUST LANDS ADMINISTRATION

  
LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

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## MINERAL ACTIONS

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### **TOTAL ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES**

Upon recommendation of Ms. Garrison, the Director approved the assignment of the lease listed below to Uranium Energy Corp., 6100 Indian School Road, Albuquerque, NM 87110, by David Terry, who reserves 2% overriding royalty. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

**RECORD TITLE:**

***DAVID TERRY – 100%***

OWNERSHIP AFTER ASSIGNMENT:

**RECORD TITLE:**

***URANIUM ENERGY CORP. – 100%***

....ML 50929 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of the lease listed below to Uranium Energy Corp., 6100 Indian School Road, Albuquerque, NM 87110, by Thames River, LLC, who reserves 2% overriding royalty. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

**RECORD TITLE:**

***THAMES RIVER, LLC – 100%***

OWNERSHIP AFTER ASSIGNMENT:

**RECORD TITLE:**

***URANIUM ENERGY CORP. – 100%***

....ML 50930 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of the lease listed below to XTO Energy, Inc., 810 Houston Street, Fort Worth, TX 76102-6298, by Dominion Exploration & Production, Inc. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

**RECORD TITLE:**

***DOMINION EXPLORATION & PRODUCTION  
INC. – 100%***

OWNERSHIP AFTER ASSIGNMENT:

**RECORD TITLE:**

***XTO ENERGY, INC. – 100%***

....ML 22313-2 (SCH)....

**OPERATING RIGHTS ASSIGNMENT – OIL, GAS, AND HYDROCARBON LEASE**

Upon recommendation of Ms. Garrison, the Director approved the assignment of 35% interest in operating rights from surface of earth to 100' below stratigraphic equivalent of 8100', ***ALSO***, assignment of 100% interest in operating rights below 8100' in and to the lease listed below to XTO Energy, Inc., 810 Houston Street, Fort Worth, TX 76102-6298, by Dominion Exploration & Production, Inc. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

**OWNERSHIP BEFORE ASSIGNMENT:**

**RECORD TITLE:**

XTO ENERGY, INC. – 100%

***OPERATING RIGHTS: SURFACE TO 100' BELOW  
STRATIGRAPHIC EQUIVALENT OF 8100'***

CNG PRODUCING CO. – 65%,

***DOMINION EXPLORATION & PRODUCTION***

***INC. – 35%***

***BELOW 8100'***

***DOMINION EXPLORATION & PRODUCTION***

***INC. – 100%***

**OWNERSHIP AFTER ASSIGNMENT:**

**RECORD TITLE:**

XTO ENERGY, INC. – 100%

***OPERATING RIGHTS: SURFACE TO 100' BELOW  
STRATIGRAPHIC EQUIVALENT OF 8100'***

CNG PRODUCING CO. – 65%,

***XTO ENERGY, INC. – 35%***

***BELOW 8100'***

***XTO ENERGY, INC. – 100%***

....ML 22313-2 (SCH)....

**APPROVAL OF THE WEST PINE SPRINGS UNIT**

Richfield Resources, LLC, Operator of the West Pine Springs Unit, has furnished the State of Utah School and Institutional Trust Lands Administration office with evidence that the unit was approved by the Bureau of Land Management on October 31, 2007, with the same effective date.

The following lease should be noted as being committed to the West Pine Springs Unit with all formations unitized:

**LEASE #**

**LESSEE**

ML 47726

Dale E. Armstrong

(MH: 63.12; USH: 80.00; SCH: 1187.93)

***This item was submitted by Ms. Wells for record-keeping purposes only.***

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## S U R F A C E   A C T I O N S

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### **GRAZING PERMITS**

#### **GRAZING PERMIT NO. 23283 (APPROVAL)**

Amy Sabey  
Callao Rt. Box 335  
Wendover, UT 84083

640.00 Acres                  16.2 AUMs                  School Fund                  Juab County

First Year's Rental: \$57.51  
Application Fee: \$50.00

<u>T11S, R16W, SLB&amp;M</u>	<u>Acres</u>	<u>AUMs</u>
Section 16: All	640.00	16.2

The term of this permit begins July 1, 2008, and expires June 30, 2023. The season of use is winter, the allotment name is Callao, the type of livestock is cattle.

Upon recommendation of Mr. Scott Chamberlain, the Director approved Grazing Permit No 23283.

#### **GRAZING PERMIT NO. 22707 (ASSIGNMENT)**

Max L. Stewart, P.O. Box 21, Tropic, UT 84776, has requested the Trust Lands Administration's permission to assign 100% interest in the above referenced grazing permit to Slate R. Stewart and Pennie M. Stewart, P.O. Box 64, Tropic, UT 84776. The assignment fee in the amount of \$30.00 has been submitted. Garfield County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the assignment of GP 22707.

### **RIGHTS OF ENTRY**

#### **RIGHT OF ENTRY NO. 5094 (APPROVAL)**

Emery County and the Trust Lands Administration are in negotiations to enter into an agreement and develop a lease contract for a rail served industrial park located on trust lands. ROE 5094 will be issued to allow Emery County, or perspective purchasers of the property, the rights to perform certain due diligence activities prior to the execution of the said development lease. ROE 5094 will be effective for one year from the time it is executed or upon execution of the above mentioned development lease, whichever is sooner. ROE 5094 will allow access in the following areas:

Township 20 South, Range 14 East, SLB&M  
Section: 36: All

**RIGHT OF ENTRY NO. 5094 (APPROVAL) (CONTINUED)**

Township 21 South, Range 15 East, SLB&M

Section 2: All

Section 11: S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$

Section 12: S $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 13: NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$

Containing 2,267.00 acres, more or less.

The Trust Lands Administration will delegate to the County its responsibility to comply with Utah Code Ann. §9-8-404 for all "undertakings" (as defined in R850-60-200(8)). Prior to performing any such undertaking, the County will ensure that an appropriate archaeological consultant will identify any and all historic properties and to prepare the necessary reports and forms for delivery to the State Historic Preservation Office. The County will pay for any costs incurred for such compliance actions or, if the County chooses, it may arrange for the payment of such expenses by a third party.

Emery County or a prospective purchaser shall comply with all liability insurance obligations described in the right of entry permit.

The fee for this right of entry is \$200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$300.00. Emery County. School Fund. Expiration date: March 12, 2009.

Upon recommendation of Mr. Bryan Torgerson, the Director approved Right of Entry No. 5094.

**RIGHT OF ENTRY NO. 5143**

On March 24, 2008, Ms. Jeanine Kleinke, Trust Lands Technician, pursuant to R850-41-200, in accordance with direction and delegation of authority, approved the request of Cube Communication, 1311 Jackson Avenue, #12B, Long Island, NY 11101, to occupy the following described trust land located within Grand County for commercial photography:

T25S, R21E, SLB&M

Sec. 32: Within

The fee for this is right of entry is \$400.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$500.00. Grand County. School Fund. Expiration date: April 17, 2008.

*This item was submitted by Ms. Jeanine Kleinke for recording-keeping purposes.*

**RIGHT OF ENTRY NO. 5141**

On March 26, 2008, Mr. Gary Bagley, Resource Specialist, pursuant to R850-41-200 and in accordance with direction and delegation of authority, approved the request of Sageriders Motorcycle Club, P.O. Box 774, Springville, Utah 84663, to occupy the following described trust lands in Juab County for one organized motorcycle race on a pre-determined course on existing roads and trails as determined and administered by the Bureau of Land Management. The permit will be for a two-day period, on April 4<sup>th</sup> and 5<sup>th</sup>, 2008. The permittee shall be required to abide by the same rules and procedures established for the entire event.

**JUAB COUNTY****Township 11 South, Range 4 West, SLB&M**

Section 32: Within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

Estimated distance = 600 feet

Estimated acreage = 0.14

**Township 11 South, Range 5 West, SLB&M**

Section 26: Within the W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$

Estimated distance = 3,000 feet

Estimated acreage = 0.69

**Township 11 South, Range 5 West, SLB&M**

Section 32: Within the S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$

Estimated distance = 14,630 feet

Estimated acreage = 3.36

**Township 11 South, Range 5 West, SLB&M**

Section 35: Within the SW $\frac{1}{4}$ NE $\frac{1}{4}$

Estimated distance = 1500 feet

Estimated acreage = 0.34

**Township 12 South, Range 5 West, SLB&M**

Section 2: Within the E $\frac{1}{2}$

Estimated distance = 10,500 feet

Estimated acreage = 2.4 acres

Containing a total estimated 6.93 acres, more or less. A map of the motorcycle race course on existing trails and roads is in the file.

The majority of the route of the race is on federal lands, with only a small portion on trust lands. The camping and staging areas are all on adjoining federal lands. The Bureau of Land Management ("BLM") has approved its temporary permit, subject to approval of the permit on trust lands.

**RIGHT OF ENTRY NO. 5141 (CONTINUED)**

The compensation for this permit is \$200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$300.00. The applicant submitted \$300.00. Juab County. School Fund.

Insurance and other bonding requirements for the two-day racing activity are required by both the Trust Lands Administration and BLM. The term of this permit is for a period of two days, Friday, April 4 and Saturday, April 5, 2008.

*This item was submitted by Mr. Gary Bagley for record-keeping purposes.*

**EASEMENTS****EASEMENT NO. 376 (REINSTATEMENT)**

XTO Energy Inc., Attn: Land Obligations, 810 Houston Street, Forth Worth, Texas, 76102, has requested reinstatement of Easement No. 376, which was canceled for non-payment of the required administrative fee as documented in the Director's Minutes of March 7, 2008. Easement No. 376 was issued effective January 1, 1996, for a natural gas pipeline for a term of 30 years. XTO Energy Inc. has paid a \$400.00 reinstatement fee, along with the \$20.00 past-due administrative fee and a \$30.00 late fee. All conditions for reinstatement pursuant to Rule R850-5-500(1)(d) have been met. The easement will be reinstated for the balance of the original term, with the expiration date remaining December 31, 2025. Emery County. School Fund.

Upon recommendation of Mr. Chris Fausett, the Director approved the reinstatement of Easement No. 376.

**EASEMENT NO. 1367 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

PacifiCorp, DBA Rocky Mountain Power  
1407 W. North Temple, NTO-110  
Salt Lake City, UT 84116

**LEGAL DESCRIPTION:**

Township 15 South, Range 10 East, SLB&M  
Section 5: W½SE¼ (within)

A 15 foot utility corridor located in the W½SE¼ of Section 5, T15S, R10E, SLB&M, Carbon County, UT, being 7.5 feet on each side of the following described centerline:

Beginning S 89°33'22" W, 2439.26 feet along the section line and north 1434.19 feet from the southeast section corner of Section 5; thence running S 45°04'15" W 12.59 feet; thence S 46°42'04" E 203.14 feet; thence S 48°26'28" E 750.05 feet; thence S 49°49'22" E 89.22 feet to the property boundary of trust lands and Nielson Construction, said point being S 89°33'22" W 1670.89 feet along the section line and north 724.90 feet from the southeast section corner of Section 5, T15S, R10E, SLB&M, Carbon County, UT. Total length is 1055.00 feet (63.94 rods). Contains 0.363 acres.

COUNTY: Carbon

ACRES: 0.363

FUND: School

**EASEMENT NO. 1367 (APPROVAL) (CONTINUED)****PROPOSED ACTION:**

The applicant requests an easement to construct, operate, repair, and maintain a 12.5 kV buried power line located in the Four Mile Hill area south of Price in Carbon County. The power line will provide electrical service to an asphalt plant that is currently being constructed on private lands owned by the applicant. The power line will be constructed along an existing road corridor which is being abandoned and closed for access purposes. There will be no new ground disturbance associated with the installation of the power line since it will be installed within the previously disturbed area of the access road. The proposed easement corridor is 1,055.00 feet long and 15 feet wide, containing 0.363 acres. The term of the easement will be 30 years.

**RELEVANT FACTUAL BACKGROUND:**

This easement application was exempt from review by the Resource Development Coordinating Committee ("RDCC") since there is no new ground disturbance associated with the proposed project.

The Trust Lands Administration's staff archaeologist has reviewed the proposed easement and has indicated that, since no new disturbance is planned within the easement corridor, a cultural resources survey will not be required.

**EVALUATION OF FACTS:**

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is 30 years.
3. The applicant has paid the fees determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1367 for a term of 30 years beginning March 1, 2008, and expiring February 28, 2038, with the easement fee being \$767.27 plus the \$750.00 application fee. The administrative fee required pursuant to R850-40-1800 has been paid in a one-time payment of \$1,000.00.

**SPECIAL USE LEASE AGREEMENTS****SPECIAL USE LEASE NO. 1131 (LEASE TERMINATION)**

Dyno-Nobel Inc., c/o Ireco Inc, 2650 Decker Lake Blvd., Ste 300, Salt Lake City, Utah 84119, has Special Use Lease No. 1131, located in Utah County, for the purpose of an industrial buffer zone for activity at the lessee's plant site located adjacent to the lease premises. Trust Lands Administration, pursuant to Paragraph 3 of the lease, is exercising its option to terminate this lease in its present form. The lessee was notified of this action. Alternative lease options will be discussed with the lessee for future use of this site. Utah County. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director approved the termination of Special Use Lease Agreement No. 1131 in its present form.



**SPECIAL USE LEASE AGREEMENT NO. 1575 (APPROVAL)**

**APPLICANT'S NAME AND ADDRESS:**

EnCana Oil & Gas (USA) Inc.  
2717 County Road 215, Suite 100  
Parachute, Colorado 81635

**APPLICATION TYPE:** INDUSTRIAL

**TERMS:** 30 years

**BEGINNING DATE:** April 1, 2008

**ENDING DATE:** March 31, 2038

**NEXT REVIEW DATE:** April 1, 2013

**FIRST YEAR RENTAL:** \$12,500.00

**APPLICATION FEE:** \$ 250.00

**PROCESSING FEE:** \$ 700.00

**ADVERTISING FEE:** \$ 23.40

**TOTAL SUBMITTED:** \$13,473.40

**LEGAL DESCRIPTION:**

Township 30 South, Range 25 East, SLB&M  
Section 16: NE¼ (within)

A parcel of land, all situated within the Northeast Quarter of the Northeast Quarter of Section 16, Township 30 South, Range 25 East, Salt Lake Base and Meridian, San Juan County, Utah:

Commencing at the section corner common to Sections 9, 10, 15, and 16, Township 30 South, Range 25 East, Salt Lake Base and Meridian, San Juan County, Utah, being a brass cap and iron pipe monument, thence South 55°50'40" West, 966.26 feet to the true point of beginning; thence South 47°25'35" West 400.00 feet; thence South 42°34'25" East 650.00 feet; thence North 47°27'20" East 144.74 feet; thence South 42°37'49" East 171.74 feet; thence North 47°22'11" East 75.00 feet; thence North 42°37'49" West 171.74 feet; thence North 47°25'35" East 180.26 feet; thence North 42°34'25" West 650.00 feet to the point of beginning. The total area of the parcel of land on trust lands, as described above, is 272,888 square feet, containing 6.265 acres, more or less.

**COUNTY:** San Juan

**ACRES:** 6.265

**FUND:** School

**PROPOSED ACTION:**

The applicant proposes to construct, operate, and maintain a natural gas compressor station. The applicant is continuing to develop natural gas reserves in the Middle Mesa, Big Indian, and Bullhorn Units in San Juan County. The proposed site is located adjacent to an existing EnCana operated gathering pipeline system along the Lisbon Valley Road. The compressor station will consist of up to four 3516 natural gas-fired compressors, a compressor building to house the four compressor units, BTEX unit, dehydration unit, and flare stack. The compressor will have the capacity to process 28 million standard cubic feet per day (mscf/d) during normal operation of the facility. The proposed term of the lease is 30 years.

**RELEVANT FACTUAL BACKGROUND:**

The application was advertised in a paper of local circulation in San Juan County. In addition, San Juan County was notified of the action and a copy of the notice was sent to all lessees, permittees, and adjoining landowners. The required public notice process has been completed pursuant to the requirements of R850-30-500(2)(d) and R850-30-500(2)(e). There were no competing applications received during the notice period.

The Resource Development Coordinating Committee ("RDCC") review was initiated December 20, 2007, and no comments were received. The San Juan County Commission and the Southeastern Association of Local Governments were notified. Southeastern Association of Local Governments returned a "favorable comment recommended."

**SPECIAL USE LEASE AGREEMENT NO. 1575 (APPROVAL) (CONTINUED)**

A cultural resource inventory was conducted by Carl E. Conner of Grand River Institute, Grand Junction, CO (State of Utah Antiquities Section Project No. U-07-GB-1253s report, dated November 2, 2007, and titled, Class III Cultural Resource Inventory Report for the Proposed Bull Horn Compressor Station on Trust Land in San Juan County, Utah for EnCana Oil & Gas (USA), Inc.). One NRHP-eligible historic site, 42Sa25036, was located within the project area and will be directly affected by the proposed project. However, this is a small segment of a historic road which is barely discernible on the landscape and contains no features and no depth of cultural fill. This portion of road is evaluated as non-contributing and no further work is recommended for this segment; a determination of no adverse affect has been given for this proposed undertaking. The project has also been reviewed by the Trust Lands Administration's archaeological staff, who concurs with a finding of "no historic properties affected."

**EVALUATION OF FACTS:**

Competing applications were solicited pursuant to R850-30-500(2) and no competing applications were received. The applicant was notified of the need to submit a sealed bid pursuant to R850-30-510(1)(a)(i). The applicant submitted a sealed bid in the amount of \$12,500.00 per year for the 6.265 acres of the lease site. This amount meets the fair market value requirement of R850-30-400(1). The lease will contain a clause providing for escalation of the annual rental at the end of each five-year period.

This action qualifies as an exclusion to the narrative record of decision because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Kurt Higgins, the Director approved SULA 1575 with a beginning annual rental of \$12,500.00. The term of the lease will be 30 years, with a five-year rental review pursuant to R850-30-400.

**SPECIAL USE LEASE AGREEMENT NO. 1360 (ADMENDMENT #1)**

Special Use Lease Agreement No. 1360 (SULA 1360) is leased to the Boy Scouts of America, dba Utah National Parks Council ("UNPC"), 748 North 1340 West, Orem, Utah 84057, for the purposes of an outdoor camping facility.

The lessee has requested that SULA 1360 be amended to allow the UNPC to pursue additional removable improvements on the subject property as long as the said proposed improvements are pre-approved in writing by the Trust Lands Administration.

A \$400.00 lease amendment fee was paid by the UNPC to the Trust Lands Administration and it was properly receipted. Grand County. School Fund.

Upon recommendation of Mr. Bryan Torgerson, the Director approved the amendment of SULA 1360.

**SPECIAL USE LEASE AGREEMENT NO. 1394 (APPROVAL OF SUBLEASE #1)**

Special Use Lease No. 1394 is a telecommunication tower site lease issued to UBTA-UBET Communications, Inc., a Utah Corporation, 211 East 200 North, Mailing Address: P.O. Box 157, Roosevelt, UT 84066, previously registered with the State of Utah as Uintah Basin Telecommunications Association, Inc. The lessee has submitted an application to sublease a small portion of space on its existing site to Uintah Basin Electronics Telecommunications, DBA UBET Wireless, P.O. Box 157, Roosevelt, UT 84066.

The purpose of the sublease is for the co-location of cellular telephone communications antennas and equipment for the operation of UBET Wireless' cellular telephone system in the Uintah Basin. This site is intended to fill in coverage gaps along the highway and portions of the Vernal area.

**SPECIAL USE LEASE AGREEMENT NO. 1394 (APPROVAL OF SUBLEASE #1) (CONTINUED)**

The site includes existing improvements and no additional ground disturbance will occur. The proposed use is compatible with the existing lease. The practice of co-location and subleasing is encouraged, with prior authorization, by the Trust Lands Administration because it benefits the Trust Beneficiary with additional sublease rents.

The required beginning annual sublease rental for Sublease #1, determined by the Trust Lands Administration, shall initially be \$1,800.00 per year. The sublease agreement contains the sublease rental and future rental adjustment information. The sublease rental is in addition to the lessee's annual base rental for lessee's communication site facility, which is the primary use allowed by the lease. The annual sublease payment date shall be May 1 of each year billed, paid at the beginning of the lease year (May 1 – April 30). It shall be included on the courtesy billing statement, but itemized as an additional sublease rental. The effective beginning date of this sublease is April 1, 2008. A sublease rental amount of \$150.00 is being submitted for the first one month period. The annual sublease rental of \$1,800.00 for the period of May 1, 2008, through April 30, 2009, shall be due May 1, 2008. The May payment coincides with the annual base rental date of the lease. The annual sublease rental of \$1,800.00 for the period of May 1, 2009, through April 30, 2010, shall be due May 1, 2009. Thereafter, the annual sublease rental shall be adjusted pursuant to the terms of the sublease agreement, with the next adjustment on May 1, 2010, and every five years thereafter. The expiration date is April 30, 2025, or upon an earlier termination of SULA 1394. The subject property is in Uintah County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director approved Sublease #1 for co-location of equipment on the existing premises of SULA 1394 as described above.

**SPECIAL USE LEASE NO. 787 (NAME CHANGE)**

This office has received notification from Clean Harbors Environmental Services, Inc. that the name and address on this lease for billing/invoicing purposes should be changed from Laidlaw Environmental Services, Grassy Mountain Facility, P.O. Box 22750, Salt Lake City, Utah 84122, to Clean Harbors Environmental Services, Inc., Attn: Dona Waldron, 42 Longwater Drive, Norwell, MA 02061. A copy of the name change history has been provided to Trust Lands Administration. The \$15.00 name change fee has been paid. Tooele County. School Fund.

*This item was submitted by Ms. Linda Bianchi for record-keeping purposes.*

**SPECIAL USE LEASE NO. 1350 (ASSIGNMENT AND REFUND OF ASSIGNMENT FEE OVER-PAYMENT)**

Pursuant to R850-30-900, US Magnesium, LLC, 238 North 2200 West, Salt Lake City, Utah 84116, requests permission to assign 100% of its interest in the above-referenced lease to Skull Valley Water Group, LLC, 238 North 2200 West, Salt Lake City, Utah 84116. The assignee has accepted the current lease form, which is clearly in the best interest of the Beneficiaries pursuant to R850-30-900(5)(a). The annual base rental fee of \$600.00 and the \$250.00 assignment fee have been submitted. Tooele County. School Fund.

The lessee also submitted a \$200.00 assignment fee on April 4, 2007. However, the assignment paperwork was not submitted at that time. **The \$200.00 assignment fee overpayment will be refunded to US Magnesium, LLC, ATTN: Mr. Lee Brown, 238 North 2200 West, Salt Lake City, Utah 84116.**

Upon recommendation of Mr. Kurt Higgins, the Director approved the assignment of SULA 1350 and ordered **a refund in the amount of \$200.00 be sent to US Magnesium, LLC, ATTN: Mr. Lee Brown, 238 North 2200 West, Salt Lake City, Utah, 84116.**

**SPECIAL USE LEASE AGREEMENT NO. 813 (AMENDMENT - TERM EXTENSION)**

SULA 813 is issued to U.S. Army/WSMR, Attn: IMSW-WSM-IS-A (Diana Moya) 102 Headquarter Ave., White Sands, NM 88002-5076. This lease was approved on October 1, 1987, for a 20-year term. This lease expired its term on September 30, 2007. The applicant has requested that the lease term be extended for an additional five years with an option to renew for another five years if needed. The lease is under the current lease format, including a standard review clause, and is returning fair market value rental for the property. The term extension and option to renew will be within the limits authorized by rule. The new expiration date for this lease will be September 30, 2012. The lessee has paid the \$400.00 amendment fee, along with this year's current adjusted rental of \$33,800.00.

Although lease amendments are not specifically exempted from the narrative record of decision process, it has been determined that this action is not substantive, nor does it warrant the time and expense necessary to complete a full narrative record.

Upon recommendation of Mr. Lou Brown, the Director approved the amendment to SULA 813 to extend the term for an additional five years with an option to renew for another five-year term.

**SPECIAL USE LEASE AGREEMENT NO. 1298 (THREE-YEAR REVIEW)**

SULA 1298 is issued to Monument Disposal, P.O. Box 410129, Big Water, UT 84741-2129. The lease parcel is located in Kane County. School Fund.

1. **ANNUAL RENTAL:**

The annual review date for this lease is April 1, 2008. The subject property is used for a refuse transfer station. Agency staff attempted to determine the fair market value of the lease by contacting the County Assessor and local realtors. However, due to a lack of comparable sales, a value was difficult to determine. Therefore, it was determined that it would be appropriate to hire a third party appraiser to determine the fair market value. However, due to the lack of time in this review period, it was determined that the new lease fee will be adjusted using the approved index, and the appraisal will be done before the next review. Therefore, it is recommended that the lease fee be increased from \$660.00 per year to \$720.00 per year. A certified notice was sent to the lessee and the lessee responded favorably.

New lease fee: \$720.00

Acres in lease: 4.04

Rental Per Acre: \$178.21

2. **DUE DILIGENCE:**

The development allowed by this lease has occurred. It is recommended that the lease be kept in full force.

3. **PROPER USE:**

The leased premises are being used in accordance with the lease agreement.

4. **ADEQUATE BOND COVERAGE:**

A bond for the amount of \$2,000.00 was provided by Zion's Bank in the form of an irrevocable standby Letter of Credit (NO. ZSB801197). This Letter of Credit expired March 31, 2005. The lessee will be required to replace the above mentioned irrevocable Letter of Credit for the amount of \$2,000.00.

5. **ESTABLISHMENT OF WATER RIGHTS:**

No water rights were required.

**SPECIAL USE LEASE AGREEMENT NO. 1298 (THREE-YEAR REVIEW) (CONTINUED)****6. POLLUTION AND SANITATION REGULATIONS:**

The lease is in compliance with the pollution, sanitation, and waste provisions of the lease.

**7. NEXT REVIEW:**

The next annual review date is April 1, 2011.

Upon recommendation of Mr. Bryan Torgerson, the Director approved the three-year review for SULA 1298.

**SALES****PATENT NO. 19913 (ADDITIONAL INFORMATION FOR ISSUANCE OF PATENT)**

Patent No. 19913 was issued to Steven Turner and Tamara Turner on March 8, 2006. A Director's Minute entry was made on March 17, 2006, Page 10, regarding the issuance of the patent. Water rights were conveyed with the surface ownership. In September, 2007, the purchasers notified Trust Lands Administration of a typographic error in the water rights on the patent. The original patent read, "Together with 0.25 acre/feet of water out of Water Right No. 63-4301 (a27320)." The water rights section of the patent has been corrected to read, "Together with 0.25 acre/feet of water out of Water Right No. 63-~~4301~~ (a27320)." All other provisions of the patent remain unchanged. An Amended Patent No. 19913 has been issued to the purchasers.

*This item was submitted by Ms. Carney for record-keeping purposes.*

**ISSUANCE OF PATENTS**

Patents have been issued for the following paid certificates of sale. Records should be noted.

PRE SALE NO.: 6879

CERTIFICATE OF SALE NO.: 24334

SALE DATE: August 18, 1993

PATENT NO.: 20044

PATENT DATE: February 1, 2008

**ISSUED TO:**

Brent Peterson and Janet Peterson  
178 West 100 North  
Springville, UT 84663

**LEGAL DESCRIPTION:**

Township 27 South, Range 1 East, SLB&M  
Section 2: Lot 14 - Aspens at Fish Lake Subdivision

ACRES: 21.47, m/l

COUNTY: Wayne

FUND: School

**ISSUANCE OF PATENTS (CONTINUED)**

PRE SALE NO.: 8072  
CERTIFICATE OF SALE NO.: 25939  
SALE DATE: April 1, 2004  
PATENT NO.: 20110  
PATENT DATE: March 18, 2008

ISSUED TO:

Henderson Properties, LLC  
3071 South Highway 191  
Moab, UT 84532

LEGAL DESCRIPTION:

Township 26 South, Range 22 East, SLB&M

Section 27: a portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , more particularly described as follows:

Beginning at the Center North 1/16 Corner of Section 27, T26S, R22E, S.L.M., and proceeding thence with the Center  $\frac{1}{4}$  line of said Section 27 S 0°04' W 1182.0 ft. to a Corner on the Easterly Right of Way of U.S. Hwy 191, thence with said Right of Way N 37°48' W 1497.2 ft. to a Corner on the North line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 27, thence with said line S 89°56' E 919.0 ft. to the point of beginning.

ACRES: 12.48, m/l

COUNTY: Grand

FUND: School

PRE SALE NO.: 7816  
CERTIFICATE OF SALE NO.: 25734  
SALE DATE: October 10, 2003  
PATENT NO.: 20112  
PATENT DATE: March 18, 2008

ISSUED TO:

Marvin J. Sumpter and Mary Sumpter  
4916 Neff Ridge Drive  
Las Vegas, NV 89131

LEGAL DESCRIPTION:

Township 40 South, Range 4.5 West, SLB&M

Section 16: All

ACRES: 640.00, m/l

COUNTY: Kane

FUND: School

**ISSUANCE OF PATENTS (CONTINUED)**

PRE SALE NO.: 8344  
CERTIFICATE OF SALE NO.: 26440  
SALE DATE: August 3, 2007  
AUCTION DATE: May 11, 2007  
PATENT NO.: 20080  
PATENT DATE: September 24, 2007

ISSUED TO:  
UTAH DIVISION OF WILDLIFE RESOURCES  
1594 W. North Temple, Suite 2110  
Salt Lake City, UT 84114

LEGAL DESCRIPTION:  
Township 2 North, Range 23 East, SLB&M  
Section 16: Lots 5, 6, 7, 8, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ S $\frac{1}{2}$  (All trust lands lying south of the Green River)

ACRES: 356.24, m/l                      COUNTY: Daggett                      FUND: School

PRE SALE NO.: 8383  
CERTIFICATE OF SALE NO.: 26453  
AUCTION DATE: October 12, 2007  
PATENT NO.: 20095  
PATENT DATE: January 24, 2008

ISSUED TO:  
KDQD, LLC  
113 East 200 North, #3  
St. George, UT 84770

LEGAL DESCRIPTION:  
Township 37 South, Range 17, West, SLB&M  
Section 16: W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$

ACRES: 10.00, m/l                      COUNTY: Washington                      FUND: School

**ISSUANCE OF PATENTS (CONTINUED)**

PUBLIC SALE NO.: 982  
CERTIFICATE OF SALE NO.: 18663  
SALE DATE: July 10, 1918  
PATENT NO.: 20085  
PATENT DATE: October 16, 2007

ISSUED TO:

John E. Adams  
c/o Daniel G. Anderson  
Anderson & Anderson, PC  
P.O. Box 275  
Monticello, Utah 84535

LEGAL DESCRIPTION:

Township 36 South, Range 22 East, SLB&M  
Section 36: S1/2SW1/4NW1/4

ACRES: 20.00, m/l

COUNTY: San Juan

FUND: School

Certificate of Sale No. 18663, issued to John E. Adams, contained a description for a total of 40.00 acres (more or less). Certificate of Sale No. 18663 was paid in full January 3, 1935. On April 18, 1963, Patent No. 18114 was issued to Edwin Z. Black and Ardel P. Black for 20.00 acres (more or less) described as: Township 36 South, Range 22 East, SLB&M, Section 36: N1/2SW1/4NW1/4. The record is unclear as to why only 20.00 acres were patented at that time. SITLA's Director has determined that the original purchaser is the appropriate patentee for the remaining 20.00 acres in the certificate of sale, pursuant to Utah Code Ann. § 53C-4-102(7). SITLA will not make a determination as to the present legal owners of either the surface or the mineral estate of the South 20.00 acres. The issuance of Patent No. 20085 and of Patent No. 18114 completes the ownership transfer of all the lands sold under Certificate of Sale No. 18663.

PRE SALE NO.: 8055  
CERTIFICATE OF SALE NO.: 25740  
SALE DATE: October 10, 2003  
PATENT NO.: 20108  
PATENT DATE: February 15, 2008  
QUIT CLAIM DEED and ASSIGNMENT of WATER RIGHTS NO.: 1360

ISSUED TO:

Danny M. Anderson and Sharon Anderson  
P.O. Box 188  
Annabella, Utah 84711

LEGAL DESCRIPTION:

Township 26 South, Range 2 West, SLB&M  
Section 11: Lot 3 (N½NE¼NE¼)

Together with 0.25 acre/feet of water out of Water Right No. 63-4391 (a27320)

ACRES: 20.00, m/l

COUNTY: Sevier

FUND: Institute for the Blind

*This item was submitted by Ms. Carney for record-keeping purposes.*



## **TIMBER SALES**

### **TIMBER SALE NO. 809 (CLOSEOUT AND BOND RELEASE)**

TA 809 (East Phil Pico), in the name of Thompson Logging, P.O. Box 363, Kamas, Utah 84036, has been inspected and the operator has been determined to have satisfactorily completed all contract requirements. All payments and ticket books have been submitted. Daggett County. School Fund.

Upon recommendation of Mr. Cary Zielinsky, through Mr. Richard Wilcox, TA 809 (East Phil Pico) is hereby closed-out and all bonds associated with this sale will be transferred to TA 817.

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## **DEVELOPMENT ACTIONS**

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### **DEVELOPMENT SUBDIVISION SALE**

THE FOLLOWING SALE HAS BEEN EXECUTED AND A PATENT ISSUED FOR:

SUBD 6.0 Kachina Cliffs Phase 2 - Entrada at Snow Canyon

This transaction has been executed pursuant to Development Lease DEVL 682.

#### **LEGAL DESCRIPTION: (SUBDIVISION)**

Section 3, Township 42.0 S, Range 16.0 W, SLBM

#### **PURCHASER:**

THE ENTRADA COMPANY  
C/O BRIAN CHADAZ AT HERITAGE BANK  
95 EAST TABERNACLE  
ST. GEORGE, UTAH 84770

#### **LOT SALE DESCRIPTION:**

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 34	26342-6-34	03/10/08	19859-6-34	03/20/06	\$157,531.50	\$50.00	0.91	MH	3

#### **LIST MINERAL RESERVATIONS:**

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

#### **LIST SURFACE RESERVATIONS:**

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the subdivision.

*This item was submitted for record-keeping purposes by Amera Musial.*

**DEVELOPMENT SUBDIVISION SALE**

THE FOLLOWING SALE HAS BEEN EXECUTED AND A PATENT ISSUED FOR:

SUBD 10.0 Highland Park Phase 1 Subdivision

This transaction has been executed pursuant to Development Lease DEVL 610.

**LEGAL DESCRIPTION: (SUBDIVISION)**

Section 7, Township 42.0 S, Range 14.0 W, SLB&M

**PURCHASER:**

GOLDEN HERITAGE HOMES, INC.  
2303 N. CORAL CANYON BLVD., SUITE 200  
ST. GEORGE, UT 84780

**LOT SALE DESCRIPTION:**

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 246	26377-10-246	03/12/08	19928-10-246	07/07/06	\$17,128.66	\$20.00	0.19	SCH	7

**LIST MINERAL RESERVATIONS:**

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

**LIST SURFACE RESERVATIONS:**

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the subdivision.

***This item was submitted for record-keeping purposes by Andrea James.***

**DEVELOPMENT SUBDIVISION SALE**

THE FOLLOWING SALE HAS BEEN EXECUTED AND A PATENT ISSUED FOR:

SUBD 12.0 Estates at Hidden Valley Phase 1

This transaction has been executed pursuant to Development Lease DEVL 754.

**LEGAL DESCRIPTION: (SUBDIVISION)**

Section 18, Township 43.0 S, Range 15.0 W, SLBM

**PURCHASER:**

IVORY SOUTHERN, LLC  
3143 SOUTH 840 EAST  
SAINT GEORGE, UT 84790

**LOT SALE DESCRIPTION:**

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 2	26417-12-2	03/10/08	19989-12-2	01/31/07	\$36,100.98	\$100.00	0.16	SCH	18

**LIST MINERAL RESERVATIONS:**

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

**LIST SURFACE RESERVATIONS:**

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the subdivision.

***This item was submitted for record-keeping purposes by Amera Musial.***

**DEVELOPMENT SUBDIVISION SALE**

THE FOLLOWING SALE HAS BEEN EXECUTED AND A PATENT ISSUED FOR:

SUBD 15.0 Estates at Hidden Valley Phase 2

This transaction has been executed pursuant to Development Lease DEVL 754.

**LEGAL DESCRIPTION: (SUBDIVISION)**

Section 18, Township 43.0 S, Range 15.0 W, SLBM

**PURCHASER:**

IVORY SOUTHERN, LLC  
3143 SOUTH 840 EAST  
SAINT GEORGE, UT 84790

**LOT SALE DESCRIPTION:**

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 76	26441-15-76	03/10/08	20034-15-76	01/11/08	\$56,731.38	\$100.00	0.16	SCH	18

**LIST MINERAL RESERVATIONS:**

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

**LIST SURFACE RESERVATIONS:**

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the subdivision.

***This item was submitted for record-keeping purposes by Amera Musial.***

**DEVELOPMENT SALE FOR PRICE INDUSTRIAL WEST (PS 8426)**

THE FOLLOWING SALE HAS BEEN EXECUTED AND A PATENT ISSUED FOR PRICE INDUSTRIAL WEST, NIELSEN BUSINESS PROPERTIES, LLC:

CERTIFICATE OF SALE NO.: 26463  
PATENT NO.: 20101  
PROJECT: Price Industrial West  
PROJECT MANAGER: Noah Steele  
PROJECT CODE: PRIND 003 00  
FUND: School  
CERTIFICATE/SALE DATE: March 10, 2008  
PATENT DATE: March 4, 2008  
SALE PRICE: \$175,000.00  
BOARD APPROVED: January 17, 2008

**BUYER:**

NIELSON BUSINESS PROPERTIES, LLC  
a Utah limited liability company  
P.O. Box 620  
Huntington, Utah 84528

**FINANCIAL INFORMATION:**

Prior to Closing, the Trust Lands Administration deposited a fully executed and acknowledged patent to the surface estate of the subject property with the Escrow Agent, which Patent was held in escrow. Said Patent was without warranty and was subject to current taxes and assessments. The below described real property was sold for the sum of One Hundred Seventy-Five Thousand Dollars and 00/100 (\$175,000.00), which amount was paid to the Trust Lands Administration in full at closing.

**LEGAL DESCRIPTION OF SALE PARCEL:**

Township 15 South, Range 10 East, SLB&M  
Section 9: More particularly described as follows:

The following described parcel of land is located in the S2SE4 of Section 5 and the N2NE4 of Section 8, T15S, R10E, S.L.B. &M., Carbon County, UT. The property IS MORE SPECIFICALLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 35.49 FEET NORTH AND 263.55 FEET WEST FROM THE NORTHEAST SECTION Corner of Section 8, T15S, R10E, Carbon County, Utah, S.L.B.&M, thence along a CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 75°39'43", HAVING A RADIUS OF 402.91 feet, AND WHOSE LONG CHORD BEARS N70°04'22"W FOR A DISTANCE OF 494.24 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE N32°14'30"W, 1317.06 feet; THENCE S89°06'00"W, 240.03 feet; THENCE S00°00'00"E, 2623.00 feet TO THE NORTH OF THE EXISTING GRAVEL ROAD; THENCE N89°59'53"E, 106.43 feet; THENCE S87°16'31"E, 643.75 feet; thence S89°57'16"E, 303.62 feet to the beginning of a curve; thence to said curve turning to the left through a delta angle of 55°21'03", having a radius of 450.92 feet, and whose long chord bears N61°48'08"E, 418.87 feet to the beginning of a non-tangential curve; thence to said curve turning to the left through a delta angle of 10°38'31", having a radius of 6347.93 feet, and whose long chord bears N00°43'37"W for a distance of 1177.3 feet more or less to the point of beginning.

Containing 63.38 Acres, MORE OR LESS.

**DEVELOPMENT SALE FOR PRICE INDUSTRIAL WEST (PS 8426) (CONTINUED)**

NUMBER OF ACRES BY COUNTY: 63.38 acres – Carbon County

NUMBER OF ACRES BY FUND: 63.38 acres – School

**MINERAL RESERVATIONS:**

Excepting and reserving to the State of Utah all coal and other mineral deposits, along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

**SURFACE RESERVATIONS:**

Subject to any valid, existing rights of way and easements of any kind and any right, interest, reservation or exception appearing of record, including Grazing Permit No. 22930, Easement No. 378, Easement No. 489, Easement No. 193, Mineral Lease No. 38669, and Mineral Lease No. 38668; also

Subject to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute; also

Subject to the covenants and restrictions relating to archaeological resources, including rights of access to and excavation of the Sites reserved; also

Subject to the Area I limits of those portions of Archaeological Site 42CB1270 (the “Site”), located within the southeast corner of the parcel, shall be subject to the following restrictions hereinafter set forth, which shall be covenants running with the land in perpetuity, which shall be binding between the Trust Lands Administration and each and every purchaser and owner, their heirs, successors and assigns (referred to collectively as “Purchaser”). These covenants protect the Site and their settings, and require the Purchaser to seek approval from the Trust Lands Administration before conducting any ground-disturbing activities within the Site. Purchaser may not collect arrowheads or any other artifacts from the Site, or allow anyone else to collect such specimens, as ownership of all specimens is reserved to the Trust Lands Administration:

1. Ownership of all archaeological contexts, data, artifacts, specimens, structural remains, and archaeological features and deposits shall remain with the Trust Lands Administration or the State of Utah, as applicable.
2. For all activities conducted within the Site, Purchaser shall comply with the Utah Antiquities Act, *Utah Code Annotated* § 9-8-301 et seq. and § 9-8-404 (1953), as amended, or any amending or replacing legislation, as if the Trust Lands Administration held title to the Site, including but not limited to:
  - A. Prior to commencing any undertaking (as defined in *Utah Administrative Code* Rule R850-60-200) within the limits of the Site, Purchaser shall consult with the Trust Lands Administration and seek approval for the proposed undertaking.
  - B. Approval shall be subject to the archaeological contexts, data, artifacts, specimens, structural remains, features and deposits contained in the Site being preserved, recovered, or otherwise treated in a manner satisfactory to the Trust Lands Administration.
  - C. Purchaser shall provide the Trust Lands Administration with all collections (i.e., specimens, unprocessed samples, notes, and photographs) resulting from archaeological investigations at the Site, and all subsequent data analyses and reports.

**DEVELOPMENT SALE FOR PRICE INDUSTRIAL WEST (PS 8426) (CONTINUED)**

3. The Trust Lands Administration may, at its discretion, release the restrictive covenants in part or in their entirety in the event it determines, in consultation with the Utah Division of State History, that an appropriate level of data recovery has occurred.
4. The restrictive covenants are for the benefit of the Beneficiaries of the subject lands. The Trust Lands Administration or the Utah Division of State History may monitor compliance with, seek enforcement of, and be entitled to enjoin any violation of the restrictive covenants and to recover damages caused by the violation.
5. The Trust Lands Administration reserves a right of access in perpetuity across the subject lands to the Site within the parcel for the purpose of monitoring compliance with these restrictive covenants or for facilitation of archaeological research within said Site.
6. The Trust Lands Administration reserves the right, but does not covenant to conduct archaeological investigations at the Site, along with a right of access for the same, but does not covenant to cause any release of the restrictive covenants pursuant to Paragraph 3, above.

MINERAL LEASES CANCELED: None

SURFACE LEASES CANCELED: None

*This item was submitted by Andrea L. James for record-keeping purposes.*

**DEVELOPMENT LEASE AMENDMENT NO. 1 - DEVL 746 – LAST SUN AT GREEN SPRINGS**

THE FOLLOWING DEVELOPMENT LEASE AGREEMENT AMENDMENT NO. 1 HAS BEEN FULLY EXECUTED:

AGREEMENT NO.:	746
PROJECT CODE:	GRSPG 002 00
PROJECT:	Last Sun at Green Springs
PROJECT MANAGER:	Kyle Pasley
FUND:	School
COUNTY:	Washington
DATE OF AMENDMENT:	March 17, 2008
TERM:	Twelve months – Thru March 10, 2009

LESSEE/MEMBER:  
GARDNER & PLUMB DEVELOPMENT  
90 South 400 West, Suite 360  
Salt Lake City, UT 84101-1365

**DESCRIPTION OF TRANSACTION:**

The Trust Lands Administration has agreed to amend the lease and extend Lease No. 746 to the lessee for an additional twelve months, through March 10, 2009, in order for the remaining lots to be sold; the primary reason for the lease extension is due to current market conditions. The Trust has agreed to lease the lessee the property in consideration of the commitment to subdivide and develop the property with the intent to share in the revenue from lot sales. The lessee has installed all core infrastructures – roads, curb and gutter, sewer, water, power, etc.; therefore, no additional payment from lessee is required. All other provisions of the lease remain in full force and effect as originally agreed to and are not affected by this amendment.

**DEVELOPMENT LEASE AMENDMENT NO. 1 - DEVL 746 – LAST SUN AT GREEN SPRINGS  
(CONTINUED)**

LEGAL DESCRIPTION:

Township 42 South, Range 15 West, Salt Lake Base & Meridian

Section 10: More particularly described as follows:

BEGINNING AT A POINT LOCATED N 88°58'42" W ALONG THE SECTION LINE BETWEEN SECTIONS 3 AND 10, 1650.37 FEET FROM THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE N 88°58'42" W ALONG SAID SECTION LINE N 88°58'42" W 300.00 FEET; THENCE S 0°35'23" W 850.61 FEET; THENCE S 89°24'37" E 75.98 FEET; THENCE N 22°53'47"E 128.17 FEET TO A POINT ON A 50.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT WHOSE RADIUS BEARS N 07°06'13" W; THENCE ALONG SAID CURVE 103.75 FEET THROUGH A CENTRAL ANGLE OF 118°53'14" TO THE POINT OF A 20.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT WHOSE RADIUS BEARS N 54°00'33" E; THENCE ALONG SAID CURVE 12.79 FEET THROUGH A CENTRAL ANGLE OF 36°37'56"; THENCE N 0°38'29" E 49.62 FEET TO A POINT ON A 50.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT WHOSE RADIUS BEARS N 16°43'28" W; THENCE ALONG SAID CURVE 115.81 FEET THROUGH A CENTRAL ANGLE OF 132°42'23" TO THE POINT OF A 20.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT WHOSE RADIUS BEARS N 30°34'09" E; THENCE ALONG SAID CURVE 20.97 FEET THROUGH A CENTRAL ANGLE OF 60°04'20"; THENCE N 0°38'29" E 5.26 FEET; THENCE S 89°24'37" E 266.69 FEET; THENCE N 22°39'53" E 110.16 FEET; THENCE N 41°18'44" W 243.17 FEET; THENCE N 0°35'23" E 192.14 FEET TO THE POINT OF BEGINNING.

CONTAINS 5.19 ACRES, MORE OR LESS.

TOTAL NUMBER OF ACRES BY COUNTY: 5.19 acres, more or less – Washington County.

TOTAL NUMBER OF ACRES BY FUND: 5.19 acres, more or less – School.

Upon recommendation of Mr. Kyle Pasley, the Director accepted this agreement.

**CORRECTION TO DEVELOPMENT SUBDIVISION SALE**

IN THE DIRECTOR'S MINUTES OF FEBRUARY 22, 2008, PAGE 41, THE CERTIFICATE OF SALE DATE WAS REPORTED INCORRECTLY AS 2/13/07, AND HAS BEEN CORRECTED TO REFLECT **02/13/08**.

SUBD 15.0 Estates At Hidden Valley Phase 2

This transaction has been executed pursuant to Development Lease DEVL 754.

LEGAL DESCRIPTION: (SUBDIVISION)

Section 18, Township 43.0 S, Range 15.0 W, SLBM

PURCHASER:

IVORY SOUTHERN, LLC  
3143 SOUTH 840 EAST  
SAINT GEORGE, UT 84790

LOT SALE DESCRIPTION:

Desc /	Certificate #	Cert/Sale Dt	Patent #	Patent Dt	Lot Price	Fee	Acreage	Fund	Section
Lot 74	26441-15-74	<b>2/13/08</b>	20034-15-74	01/11/08	\$48,069.90	\$100.00	0.16	SCH	18



**CORRECTION TO DEVELOPMENT SUBDIVISION SALE (CONTINUED)****LIST MINERAL RESERVATIONS:**

Subject to a reservation to the State of all coal and other mineral deposits along with the right for the State or other authorized persons to prospect for, mine, and remove the deposits.

**LIST SURFACE RESERVATIONS:**

Subject to an easement across the property for utilities as shown on the recorded plat map; also,

Subject to any valid, existing rights of way of any kind and any right, interest, reservation or exception appearing of record, and subject also to all rights of way for ditches, tunnels, and telephone and transmission lines that have been or may be constructed by the United States as provided by statute.

Subject to the Covenants, Conditions, and Restrictions that have been recorded for the subdivision.

*This item was submitted for record-keeping purposes by Amera Musial.*

**CORRECTION TO RIGHT OF ENTRY AGREEMENT (ROE 5107) – DIXIE ESCALANTE – TEMPORARY POWER LINE ROE (APPROVAL AND WAIVER OF FEES)**

IN THE DIRECTOR'S MINUTES OF MARCH 14, 2008, PAGES 30 AND 31, UNDER THE DESCRIPTION OF TRANSACTION, THE WORD *EASEMENT*, RATHER THAN THE ABBREVIATION **ROE**, WAS REPORTED INCORRECTLY TO DESCRIBE THE TERM OF THIS AGREEMENT AND HAS BEEN CORRECTED AS SHOWN:

PROJECT:	South Block
PROJECT MANAGER:	Brent Bluth
PROJECT CODE:	SOBLK 000 00
FUND:	School
TERM:	4.5 Years
FEE WAIVED:	\$ 350.00

**PERMITEE:**

DIXIE ESCALANTE ELECTRIC  
145 W. Brigham Rd.  
St. George, Utah 84790-7974

**DESCRIPTION OF TRANSACTION:**

Right of Entry ("ROE") 5107 was granted to Dixie Escalante Rural Electric Association ("permittee") for the purpose of constructing and maintaining a new permanent power line, which will replace an existing underground distribution power line. The permittee desires to remove the existing power line and replace it with the new power line on the same lands. Permittee shall pay for its own costs and expenses in maintaining and operating the power line. The value to the development project, and surrounding trust lands, will be enhanced to a greater extent than the monetary gain that could be realized by imposing fees for the ROE. Analysis substantiating this finding is on file in the Planning and Development department.

The term of this **ROE** is for approximately 4.5 years, or 30 days from completion of the installation of the new power line, whichever comes first.

**CORRECTION TO RIGHT OF ENTRY AGREEMENT (ROE 5107) – DIXIE ESCALANTE – TEMPORARY  
POWER LINE ROE (APPROVAL AND WAIVER OF FEES) (CONTINUED)**

LEGAL DESCRIPTION:

Township 43 South, Range 16 West, SLB&M

Sections 23: Within, as follows:

Beginning at a point which is North 01°15'37" East 522.81 feet along the East Section line and North 90°00'00" West 1928.02 feet from the Southeast Corner of Section 23, Township 43 South, Range 16 West, Salt Lake Base and Meridian, said point also being on the Easterly Right-of-Way of the Angel Arch Drive; running thence from said Easterly Right-of-Way Angel Arch Drive South 64°33'00" East 30.48 feet; thence South 54°01'29" East 64.38 feet; thence South 20°09'28" East 39.13 feet; thence South 24°50'32" West 28.28 feet; thence South 20°09'28" East 867.39 feet to the Westerly Right-of-Way of UDOT Interstate 15; thence along said UDOT Right-of-Way South 28°35'12" West 26.60 feet; thence North 20°09'28" West 931.89 feet; thence North 54°01'29" West 48.52 feet; thence North 64°33'00" West 32.77 feet to the said Easterly Right-of-Way of Angel Arch Drive, said point also being on an 661.00 foot radius curve concave to the left, the radius point of which bears North 54°17'52" West; thence Northeasterly 40.45 feet along the arc of said curve through a central angle 3°30'23", said point also being the point of beginning.

CONTAINING 0.53 TOTAL ACRES, MORE OR LESS.

NUMBER OF ACRES BY COUNTY: 0.53 acres - Washington County

NUMBER OF ACRES BY FUND: 0.53 acres - School

PROPOSED ACTION:

This ROE is granted only for the purpose described above as far as it is consistent with the principles and obligations in the Enabling Act of Utah (Act of July 16, 1894, Ch. 138, 28 Stat. 107) and the Constitution of the State of Utah.

Upon recommendation of Mr. Aaron Langston, the Director accepted and granted ROE 5107.

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**ACTIONS CONTAINING FEE WAIVERS**

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**SURFACE**

**GRAZING PERMIT NO. 21655-01 (NON-USE)**

GP 21655-01 is issued to Missouri Flat L.P., 2511 S. West Temple, Salt Lake City, UT 84115. The Trust Lands Administration is requiring Missouri Flat L.P. to take 100% non-use, due to the Milford Flat Wildfire and subsequent re-seeding, on GP 21655-01. SITLA, BLM, and UDWR shared the costs to re-seed the trust land sections within the Twin Peaks BLM Allotment. The 2008/2009 grazing bill should be waived except for the \$3.86 weed fee. The \$20.00 non-use fee will be waived as this is an administrative request. Beaver County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the non-use for GP 21655-01.

**GRAZING PERMIT NO. 22759-00 (NON-USE)**

GP 22759-00 is issued to Missouri Flat L.P., 2511 S. West Temple, Salt Lake City, UT 84115. The Trust Lands Administration is requiring Missouri Flat L.P. to take 100% non-use, due to the Milford Flat Wildfire and subsequent re-seeding, on GP 22759-00. SITLA, BLM, and UDWR shared the costs to re-seed the trust land sections within the Twin Peaks BLM Allotment. The 2008/2009 grazing bill should be waived except for the \$10.40 weed fee. The \$20.00 non-use fee will be waived as this is an administrative request. Millard County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the non-use for GP 22759-00.

**GRAZING PERMIT NO. 22654 (PARTIAL NON-USE)**

GP 22654 is issued to Missouri Flat L.P., 2511 S. West Temple, Salt Lake City, UT 84115. The Trust Lands Administration is requiring Missouri Flat L.P. to take 65% partial non-use, due to the Milford Flat Wildfire and subsequent re-seeding, on GP 22654. SITLA, BLM, and UDWR shared the costs to re-seed the trust land sections within the Twin Peaks BLM Allotment. The 2008/2009 grazing bill should be adjusted to bill \$1,611.20 grazing fee (424 AUMs) and \$121.60 weed fee. The \$20.00 non-use fee will be waived as this is an administrative request. Millard County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the partial non-use for GP 22654.

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**TRUST ACCOUNTING ACTIONS**

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**REFUND – DUPLICATE PAYMENT – ESMT 517**

The above-mentioned permit was paid twice for the 2008 payment year. A refund has been requested for one of the payments submitted. The refund of the \$20.00 administrative fee and the \$30.00 late fee should be sent to Clark Bench Landowners Association – 2520 North Clark Bench Road – Kanab, UT 84741. FUND: SCHOOL

Upon recommendation of Mr. Gritzmacher, Budget Manager, the Director approved the refund in the amount of \$50.00 to Clark Bench Landowners Association.

**REINSTATEMENT – ROW 640**

The above-mentioned permit was canceled for non-payment on the minutes dated March 7, 2008. It has been discovered that the payment for this permit had been submitted but was receipted to another permit due to lack of information being provided by the lessee. The funds have been transferred to the correct permits and this permit should now be considered paid in full for the payment period beginning in January of 2008. FUND: SCHOOL

Upon recommendation of Mr. Gritzmacher, Budget Manager, the Director approved the reinstatement of ROW 640.

**INTEREST RATES**

Following are the current and past year prime rates:

CURRENT YEAR:	5.25%
ONE YEAR AGO:	8.25%